

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BARRY W. THOMAS

Plaintiff,

v.

COX COMMUNICATIONS, INC., et. al.,

Defendants

Civil Action No. 2:07-CV-231

JURY TRIAL DEMANDED

JOINT MOTION FOR AND STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff Barry W. Thomas (“Thomas”) and Defendants Cox Communications, Inc., Comcast Corporation, Cricket Communications, Inc., General Motors Corporation, Tracfone Wireless, Inc., Onstar Corp., Charter Communications, Inc., Dobson Cellular Systems, Inc., Centennial Communications Corp., MetroPCS, Inc., Nextel Operations, Inc. and Sprint Spectrum, L.P. (collectively “Defendants”), through their undersigned counsel, hereby move the Court to enter and order their stipulation and agreement that all claims Thomas asserted in this action against Defendants are dismissed with prejudice, and all counterclaims that Defendants asserted in this action against Thomas are dismissed with prejudice. Each party shall bear its own costs relating to the claims and counterclaims.

A proposed order accompanies this motion.

DATED: June 27, 2008.

Respectfully Submitted,

/s/ Taylor Higgins Ludlam

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 27th day of June, 2008.

/s/ Taylor Higgins Ludlam

Taylor Higgins Ludlam